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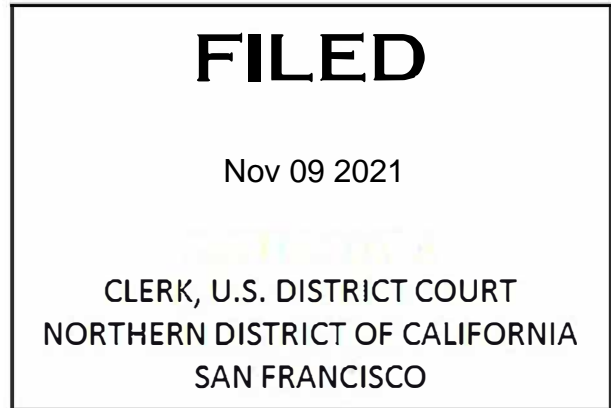
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION



UNITED STATES OF AMERICA,)	CASE NO.: 3:21-mj-71624 MAG
)	
Plaintiff,)	[PROPOSED] ORDER DETAINING DEFENDANT
)	PRIOR TO TRIAL
v.)	
)	
EDGARDO AGUILAR-CRUZ,)	
a/k/a "Jose")	
)	
Defendant.)	
)	

On October 22, 2021, this Court held a hearing on the government's motion to detain Defendant Edgardo Aguilar-Cruz pretrial. For the reasons stated on the record and summarized below, the Court orders Aguilar-Cruz detained.

Aguilar-Cruz is charged in a Criminal Complaint with one count of conspiring to distribute controlled substances, in violation of 21 U.S.C. §§ 846, 841(a)(1), (b)(1)(C). The defendant made an initial appearance on October 15, 2021, at which time the government moved for detention.

Having reviewed the criminal Complaint, the bail report prepared by U.S. Pretrial Services, and having heard arguments from both sides on October 22, 2021, the Court finds that the government has established by a preponderance of the evidence that Aguilar-Cruz is a flight risk. The defendant is

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1 Honduran and has spent most of his life there. His parents and sister are there, and he maintains regular
2 contact with them. Given the potential prison time he may face in the event of a conviction, he has an
3 incentive to flee and a place to go. In addition, Aguilar-Cruz has had a history of unstable housing and
4 minimal verifiable employment, further indicating that he has few ties to this jurisdiction, so it would be
5 easy for him to leave. While the Court appreciates the willingness of his child's mother to act as a co-
6 signer and custodian, in this case it is insufficient to mitigate the risk of flight.

7 The Court determines that, based on the current record, there is no condition or combination of
8 conditions of release that can reasonably assure the defendant's appearance as required. Accordingly,
9 pursuant to 18 U.S.C. § 3142(i), IT IS HEREBY ORDERED THAT:

10 (1) Defendant is committed to the custody of the Attorney General for confinement in a
11 corrections facility;

12 (2) Defendant be afforded reasonable opportunity for private consultation with his counsel; and

13 (3) on order of a court of the United States or on request of an attorney for the government, the
14 person in charge of the corrections facility in which defendant is confined shall deliver defendant to an
15 authorized Deputy United States Marshal for the purpose of any appearance in connection with a court
16 proceeding.

17 **IT IS SO ORDERED.**

18 November 9, 2021

19 
HON. THOMAS S. HIXSON
United States Magistrate Judge